



**LOS CERRITOS
WETLANDS
AUTHORITY**

900 S. Fremont Avenue
Annex, 2nd Floor
Alhambra, CA 91802

Board Meeting Materials

May 2, 2007

Board Members

Gary DeLong, City of Long Beach, Chair
Larry B. McKenney, Rivers and Mountains Conservancy, Vice Chair
John Larson, City of Seal Beach
Sam Schuchat, State Coastal Conservancy

NOTICE OF PUBLIC MEETING

The public meeting of the
Los Cerritos Wetlands Authority (LCWA)

will be held on

Wednesday, May 2, 2007

at 1:00 p.m.

at the following location:

Long Beach Museum of Art

2300 East Ocean Boulevard

Long Beach, CA 90803

AGENDA

1. Roll Call
2. Public Comment
Individuals wishing to comment must fill out a comment card at the meeting for the official record and will be allowed three minutes to speak, and representatives of organizations/agencies will be allowed five minutes to speak. Speaker time may be reduced depending on the number of speakers.
3. Approval of February 7, 2007 Minutes
4. Report and discussion on FY 06/07 Workplan priorities.
5. Discussion of Bryant retained parcels and Bixby parcels in the Los Cerritos Wetlands.
6. Status report on the negotiations for the acquisition of the "Hellman" property in the City of Seal Beach. Property Description: Assessor Parcel Nos.: 043-160-31, 043-160-32, 043-160-59 (Portion), 043-160-61 (Portion), 095-010-25 (Portion), 095-010-26 (Portion), 095-010-59 (Portion).
Property Owner: Hellman Properties LLC, A California Limited Liability Company;
Property Owner Negotiator: Jerry Tone.
LCWA Negotiators: Elena Eger, Mary Small, Jack Liebster, and Belinda V. Faustinos
Under Consideration: Price and terms
7. Consideration of resolution authorizing a FY 06/07 budget amendment to allocate an expenditure line item for audit expenses.
8. Statements, responses, questions or directions to staff pursuant to Section 54954.2(a) of the Government Code.
9. Announcement of next meeting – August 1, 2007
10. Adjournment upon completion of business.

Public participation is welcome on any agenda item. During the meeting the Governing Board may hold a closed session on any item pursuant to Government Code sections 54956.8 and 54956.9. Members of the public wishing to address the Governing Body on any item should address the President of the Authority in advance of the meeting. Questions about the agenda items should be addressed to Belinda V. Faustinos at (626) 458-4315.

Note: In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in the meeting, including auxiliary aids or services, please contact Belinda V. Faustinos at 458-4315 at least 3 days prior to the meeting.

**MINUTES
BOARD MEETING
LOS CERRITOS WETLANDS AUTHORITY (LCWA)
February 7, 2007**

1. **CALL TO ORDER:** 1:00pm – City of Seal Beach, Council Chambers, 211 8th Street, Seal Beach, CA 90740.
- MEMBERS PRESENT:** Chair Gary DeLong, Vice Chair Larry McKenney, Mr. Sam Schuchat, and Mr. Mike Levitt (for Mr. Larson).
- MEMBERS ABSENT:** None
- STAFF PRESENT:** Belinda Faustinos, Executive Officer
 Valerie Thompson, Executive Secretary
 Terry Fujimoto, Deputy Attorney General
 Mary Small, Staff

2. **PUBLIC COMMENT**

Mr. Tim Anderson, Los Cerritos Wetlands Land Trust, made comments regarding the potential destruction of habitat on the Bryant property that has not been purchased and urged the Board to rapidly purchase the property.

3. **APPROVAL OF DECEMBER 8, 2006 MINUTES**

No corrections were noted.

Mr. Schuchat motioned to approve the minutes; Mr. McKenney seconded the motion. Unanimously passed.

4. **CONSIDERATION OF A RESOLUTION TO ACCEPT DESIGNATION OF AN OFFER TO DEDICATE FEE TITLE TO A FIVE ACRE PROPERTY IN THE CITY OF LONG BEACH AS THE DESIGNEE OF THE STATE COASTAL CONSERVANCY FOR THE PURPOSES OF IMPLEMENTING A RESOURCE ENHANCEMENT PROGRAM AT THE LOS CERRITOS WETLANDS AND AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECT THE TRANSFER OF THE PROPERTY TO THE LCWA.**

Ms. Mary Small, State Coastal Conservancy (SCC), informed the Board that the SCC Board approved the staff recommendation to designate the LCWA to accept the offer to dedicate during their January 2007, Board meeting. Ms. Small gave a brief summary of the two conditions in regard to that action. The first, within two years of the acceptance of the offer to dedicate, the LCWA must complete a feasibility study and submit the study to the SCC for approval, and second, the SCC would retain the rights to approve any transfer of the offer to dedicate the property by the LCWA.

Ms. Schuchat moved to adopt the resolution; Mr. McKenney seconded the motion. Unanimously passed.

5. CONSIDERATION OF A RESOLUTION TO ACCEPT A GRANT OF \$30,000 FROM THE STATE COASTAL CONSERVANCY TO CONDUCT A STUDY TO EVALUATE THE FEASIBILITY OF THE PHYSICAL USE OF THE FIVE-ACRE OFFER TO DEDICATE PARCEL FOR NATURAL RESOURCE RESTORATION PURPOSES.

Ms. Small explained that this item is in reference to the first condition that was mentioned in Item 4. It was noted that the SCC is offering a grant to the LCWA for the purpose of completing the feasibility study. She briefly summarized the purpose of the study and there was a brief discussion regarding the development of a work plan, a budget, and the actual grant amount.

6. STATUS REPORT ON FY 06/07 WORKPLAN.

The Executive Officer noted that the staff report was a summary of the activities that had taken place over the past couple of months and gave a brief review of those activities which included the Phase I access, status of Hellman property, the Department of Water and Power parcel, and the Bixby property.

7. UPDATE REGARDING THE NEGOTIATIONS FOR THE ACQUISITION OF THE "HELLMAN" PROPERTY IN THE CITY OF SEAL BEACH. PROPERTY DESCRIPTION: ASSESSOR PARCEL NOS.: 043-160-31, 043-160-32, 043-160-59 (PORTION), 043-160-61 (PORTION), 095-010-25 (PORTION), 095-010-26 (PORTION), 095-010-59 (PORTION). PROPERTY OWNER: HELLMAN PROPERTIES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; PROPERTY OWNER NEGOTIATOR: JERRY TONE. LCWA NEGOTIATORS: ELENA EGER, MARY SMALL, JACK LIEBSTER, AND BELINDA V. FAUSTINOS UNDER CONSIDERATION: PRICE AND TERMS (THIS ITEM MAY BE HEARD IN CLOSED SESSION).

Ms. Small explained that the SCC has been working with the Wildlife Conservation Board (WCB) and representatives of the Hellman property. It was noted that the WCB is providing funding for an updated appraisal, and that there is a contract to conduct a feasibility study to identify feasible options for mediation of the existing soil contamination on the site and to develop a cost estimate for those options that would be consistent with likely restoration.

Mr. Levitt left at approximately 1:12p.m. and returned at approximately 1:14p.m.

Mr. Gordon Shanks, City of Seal Beach Councilmember, spoke in support of the project on behalf of the City.

8. STATEMENTS, RESPONSES, QUESTIONS OR DIRECTIONS TO STAFF PURSUANT TO SECTION 54954.2(A) OF THE GOVERNMENT CODE.

No statements, responses, questions or directions to staff were forthcoming.

9. ANNOUNCEMENT OF NEXT MEETING

The next meeting will be held on April 4, 2007. Location to be determined.
(Note: the next meeting announcement was incorrect. The meeting will be held on May 2, 2007).

10. UPON COMPLETION OF BUSINESS

The meeting was adjourned at 1:15p.m.

Los Cerritos Wetlands Authority

Date: May 2, 2007

To: Governing Board Members

From: Belinda V. Faustinos, Executive Officer

Subject: Agenda Item 4: Status report on FY06/07 Workplan.

Background

At the September 19, 2006 meeting the Board adopted the Workplan set forth below. An updated description of the status of each workplan item is detailed in the following table:

Name	Description	Status
Capital Projects		
Phase I Access Improvements	Work on this project will involve the planning and implementation of road access to the Phase I west parcel, fencing of the property boundary and preliminary signage.	The SCC consultant is in the process of preparing an application to the Coastal Commission for the road easement. Signal Hill Petroleum is negotiating an extension to the current easement.
Hellman Acquisition	This project will involve negotiations with the owner, regarding purchase price, terms and environmental clean up.	The SCC and the Hellmans are sharing the cost to hire a consultant to prepare a feasibility study that will be used to determine the clean-up costs
Edison Parcel	On February 2, 2007 the LCWA accepted this 5.11 acre parcel consistent with the offer made on May 30, 2001 by, Southern California Edison.	The offer has been recorded and staff is expecting to issue a Request for Proposals to evaluate the feasibility of using the parcel for natural resource restoration purposes.
State Lands Parcel	This property has been owned by the State Lands Commission for many years and may present opportunities for expansion of wetlands, providing access to both the Hellman and Phase I properties, recreational access and resource education.	SCC staff met with State Lands Commission staff on February 1 st to discuss the possibility of incorporating the State Lands Property into a comprehensive restoration program. State Lands is investigating building a small office at this site, but they are very open cooperating with the restoration program, including possibly leasing the remainder of the site for a visitor or interpretive center.
DWP Parcel (PCH)	This site poses significant opportunities for enhancing public access to the eastern side of the Los Cerritos Wetlands area adjoining the San Gabriel River.	Staff will work with the City of LA Department of Water and Power to identify access and improvement opportunities.
Bixby Parcels	This is the largest single private ownership in the Los Cerritos Wetlands Area comprised of	Staff has been advised that this property is in escrow and there will be a discussion of this item at the meeting.

	~ 186 acres both north and south of 2 nd Avenue.	
Bryant Retained Parcels	This property is comprised of the 13.87 gross acres of Bryant retained property.	Staff has been advised that this property has been placed on the market and there will be a discussion of this item at the meeting.
Wetlands Restoration	Restoration and enhancement of existing wetlands function is one of the primary objectives of the LCWA.	Many preliminary studies have been completed for this area. Staff will make specific recommendations for further action on this item at subsequent meetings
Wetlands Stewardship	Active stewardship of the existing wetlands on the Phase I parcels is critical.	RMC has hired a project manager to work on developing a stewardship plan.
Public Access Improvements	Public access for wildlife viewing and enjoyment may involve site improvements.	Public access to the wetlands will be addressed as part of a comprehensive plan for the site.
Administrative/ Management Projects		
LCWA Logo Development	Agency identification via a logo has been and will be a necessary tool for public education about the LCWA and our work.	Administration of logo development will be handled by the new project manager.
Short & Long Term JPA Staffing Issues	Staff work is currently provided by each of the partner agencies however it is recognized that hiring/contracting for agency staff may be necessary in the future.	RMC has hired a project manager to focus on the Los Cerritos Workplan.
Short & Long Term Property Management Issues	Property management services for the Phase I parcels are expected to be minimal until further restoration of the site is initiated.	Long term property management issues need to be addressed by either transferring the land after the restoration is complete to a trustee agency or identifying some type of long term funding mechanism for on-going LCWA management. Short term management issues will be addressed by the project manager.
Funding Opportunities	Identification of funding opportunities for new acquisitions, restoration, stewardship, education and interpretation projects are critical to the success of the LCWA.	Staff will evaluate the opportunities for obtaining funds including the settlement trust fund for LCWA purposes on an ongoing basis.
Public Records Act Policy	Each public agency must establish a public records act policy.	Staff will bring this to the Board at a future meeting.

Los Cerritos Wetlands Authority

Date: May 2, 2007

To: Governing Board Members

From: Belinda Faustinos, Executive Officer

Subject: Item 5 Discussion of Bryant retained parcels and Bixby parcels in the Los Cerritos Wetlands.

This will be a discussion item only; no written report.

Los Cerritos Wetlands Authority

Date: May 2, 2007

To: Governing Board Members

From: Belinda Faustinos, Executive Officer

Subject: Item 6 Status report on the negotiations for the acquisition of the "Hellman" property in the City of Seal Beach. Property Description: Assessor Parcel Nos.: 043-160-31, 043-160-32, 043-160-59 (Portion), 043-160-61 (Portion), 095-010-25 (Portion), 095-010-26 (Portion), 095-010-59 (Portion).

Background

The portion of the Hellman Property being pursued for acquisition comprises 100 acres located in the City of Seal Beach. The property is subject to a deed restriction that requires the owner to sell it for conservation purposes. The property has historically been used for oil production, and the site is largely undeveloped.

The Wildlife Conservation Board has committed to fund the acquisition of the Hellman property through a grant to the LCWA. The Wildlife Conservation Board has obtained the updated appraisal updated, and the next step will be review by Department of General Services. The appraisal includes the assumption that the property does not require any environmental remediation. It is anticipated that the final purchase price will be the appraised value less a portion of the costs of cleaning up the site.

More than a dozen environmental site investigations have been completed since 1987. The property owners and the State Coastal Conservancy have both independently and jointly funded a number of studies to assess the environmental conditions of the site. Most recently, the Conservancy and the owners jointly funded a Supplemental Environmental Site Investigation completed in 2004. The purpose of this study was to summarize the existing data and identify critical data gaps, specifically with regard to the potential future use of the property for habitat and wetland restoration.

In November, representatives from the Coastal Conservancy met with the landowner representative and the technical consultant that completed the Supplemental Environmental Site Investigation to discuss a process for developing a cost estimate for the remediation of existing soil contamination. Based on that meeting, the Coastal Conservancy will develop a scope of work, to be reviewed by the landowner representative, to hire a technical consultant to complete a feasibility study for remediation of the site for the purposes of wetland restoration. The cost of this technical consulting is expected to be shared between the Coastal Conservancy and the landowner.

Staff will have a verbal report on the status of the remediation report and negotiations at the meeting.

Los Cerritos Wetlands Authority

Date: May 2, 2007

To: Governing Board Members

From: Belinda V. Faustinos, Executive Officer

Subject: Agenda Item 7: Consideration of resolution authorizing a FY 06/07 budget amendment to allocate an expenditure line item for audit expenses.

Recommended Action

Staff recommends adoption of the FY 06/07 Budget amendment as submitted and detailed in the attached Exhibit A.

Background

The City of Long Beach Controller has advised staff that the audit expense for the LCWA will be approximately \$3,000. This amount can be allocated by reducing the general expense line item by \$3,000; thereby adding a new line item for audit expenses. The total amount of the budget will remain the same.

The LCWA joint powers agreement provides for an annual audit of expenditures. The period under review will be for the fiscal year ending September 30, 2007; therefore this audit will include the Bryant Phase I transaction.

May 2, 2007, Agenda Item 7

RESOLUTION 2007-03

RESOLUTION OF THE LOS CERRITOS WETLANDS AUTHORITY
(LCWA) ADOPTING A REVISED FY 06/07 BUDGET AMENDMENT

WHEREAS, the Los Cerritos Wetlands Authority (Authority) has been established between the Coastal Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the City of Seal Beach and the City of Long Beach to facilitate the acquisition, protection, conservation, restoration, maintenance and operation an environmental enhancement of the Los Cerritos Wetlands; and

WHEREAS, the joint powers agreement provides for the adoption of an annual budget; and

WHEREAS, this action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); NOW

Therefore be it resolved, that the LCWA hereby:

1. FINDS that this action is consistent with the purposes and objectives of the LCWA.
2. FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
3. ADOPTS staff report and revised budget for FY 06/07 dated May 2 2007.
4. AUTHORIZES the Executive Officer to make budget adjustments of up to 10% between budget line items so long as the total amount authorized does not exceed the approved total budget expenses.

~ End of Resolution ~

Passed and Adopted by the Board of the LOS CERRITOS WETLANDS AUTHORITY on May 2 2007

Chair

Attest:

Terry Fujimoto, Deputy Attorney General